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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,563	07/26/2002	Athanasios Petropoulos	00367000384	3227
23418	7590	03/08/2004	EXAMINER	
VEDDER PRICE KAUFMAN & KAMMHOLZ			CLINGER, JAMES C	
222 N. LASALLE STREET			ART UNIT	
CHICAGO, IL 60601			PAPER NUMBER	
			2821	

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,563

Applicant(s)

PETROPOULOS, ATHANASIOS

Examiner

Jim Clinger

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuchs et al.(6,329,954).

Claim 1, figures 22-25 disclose a quadrifilar radiator(210), a pcb(col. 4, lines 14-19), and a monopole array(220). A pcb is a dielectric with a ground plane on one side and circuitry on the opposing side. It would be obvious to position the ground plane of the pcb towards the antenna elements to shield the antennas from the circuitry.

Claims 4-5, the monopole array elements(220) are positioned and connected(abstract)as recited.

3. Claims 2-3 and 6-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuchs in view of Leisten et al.(6,300,917).

Claims 2, 11-12, 16 and 20, figures 22-25 of Fuchs disclose a cylindrical dielectric and coaxial cables, but not a balun. Figure 5 of Leisten discloses a balun(40) which is positioned between a lower part of the coaxial feed(34) and the helical elements(30A-30D) for an improved antenna(col. 3) including four modes of resonance(lines 7-8).

Claims 3, 13 and 20, the quadrifilar element disclosed in Fuchs is for circular polarization(abstract).

Claim 6, figures 22-23 of Fuchs discloses two coaxial cables each connected as recited.

Claims 7-8 and 16-17, Fuchs does not disclose cross V dipole elements. Figure 5 of Leisten discloses V elements(30AR-30DR) and a coaxial cable(34) that would extend through the pcb of Fuchs if the Leisten helical element were used in place of the helical element disclosed in Fuchs.

Claims 9-10, 14-15 and 18-19, see above references to Fuchs.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the balun and V dipole elements as disclosed in Leisten with the antenna disclosed in Fuchs for an improved antenna as disclosed in Leisten.

Response to Arguments

4. Applicant's arguments, see Response to Office Action, filed December 29, 2003, with respect to the completeness of the disclosure of the ground plane have been fully considered and are persuasive. The 35 USC 102 rejection of claims 1 and 4-6 has been withdrawn and replaced with a 35 USC 103 rejection of the same claims.

A pcb is an insulator with a ground plane on one side and circuitry on the opposing side. Whether positioning the ground plane of the pcb towards the antenna elements is inherent or obvious given the disclosure of Fuchs seems to be a minor point

for Applicant to argue, but Examiner will agree with Applicant to speed prosecution of the application.

The elements of claims 7 and 16 that are not referenced under the claims 7 and 16 paragraph were referenced under the paragraph of previously treated claims under the same 35 USC 103 rejection.

A specific line is now provided for the motivation reference.

Correspondence

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Jim Clinger whose phone number is (571) 272-1820.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center whose telephone number is (703) 308-0956.

Papers related to Technology Center 2800 applications only may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center Fax Center number is (703) 872-9306.

A handwritten signature in black ink, appearing to read "J. Clinger", is located at the bottom right of the page.